

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jason P. Brown	Docket No: 376956-003US (368532)
Serial No.: 10/511,515	Confirmation No.: 4660
Filed: October 15, 2004	Group Art Unit: To be assigned
For: METHOD FOR PRODUCING IMMORTALISED ANTIBODIES- SECRETING CELLS	Examiner: To be assigned

Mail Stop: Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION UNDER 37 CFR § 1.181(a) TO WITHDRAW HOLDING OF
ABANDONMENT**

Sir:

This Petition is being submitted pursuant to the Notification of Abandonment mailed July 11, 2006 in the captioned application. The Notification of Abandonment, a copy of which is attached hereto as Exhibit 1, states that the application was abandoned for failure to timely respond to the Notification Of Missing Requirements Under 35 U.S.C § 371 ("Notification"). As will be evidenced below, a complete response to the Notification was timely filed and received by the U.S. Patent and Trademark Office. Accordingly, withdrawal of the holding of abandonment is requested.

The Notification was mailed October 17, 2005 and set a due date for response: two months from the date of the Notification or 32 months from the priority date, whichever is later. In the instant case, 32 months from the priority date had already passed, making a response due December 19, 2005 (the next business day after Saturday, December 17, 2005). Pursuant to the Notification, the following items must have been furnished to avoid abandonment:

- Oath or Declaration in compliance with 37 CRFR § 1.497(a) and (b);
- Copy of "Sequence Listing" in computer readable form;
- Statement that the content of the sequence listing information recorded in computer readable form is identical to the written sequence listing; and

- \$130 Surcharge.

On December 14, 2005, Applicant's then attorney mailed a Response to the Notification (Exhibit 2), including an executed Declaration and Power of Attorney, a Sequence Listing in paper and computer-readable forms, a Second Preliminary Amendment containing a statement that the contents of the electronic and paper copies of the sequence listings are the same and do not introduce new matter, a copy of the Notification of Missing Requirements, a check in the amount of \$130, and a Return Receipt Postcard listing the various papers being filed.

These papers, which were fully responsive to the Notification, were timely received by the U.S. Patent and Trademark Office, as evidenced by the attached copy of the Return Receipt Postcard (Exhibit 3) bearing a United States Patent and Trademark Office OIPE mail date stamp of December 19, 2005. This Return Postcard properly identifies each paper or fee required by the Notification and provides *prima facie* evidence that a complete response thereto was timely filed, since December 19, 2005 is the next business day after the due date of Saturday, December 17, 2005.

It is noted that although the response papers were filed with a Certificate of Mailing under 37 CFR § 1.8, Applicant is not relying on this Certificate in the instant petition because the stamped Return Postcard provides *prima facie* evidence that a complete response to the Notification was timely filed and received by the U.S. Patent and Trademark Office.

Accordingly, Applicant respectfully requests that the holding of abandonment of the captioned application be withdrawn and that the application be examined on the merits.

Attached as Exhibit 4 is a copy of a Combined Revocation and Power of Attorney and Statements Under 37 CFR §§ 3.73(b) and 3.71 and Request for Change of Attorney Docket Number that was filed with the U.S. Patent and Trademark Office on July 26, 2006, and a copy of the Electronic Acknowledgement Receipt for said submission. The Power makes of record attorneys, including the undersigned, associated with Customer Number 37509.

This paper is being filed under the provision of 37 CFR § 1.34 enabling a registered patent attorney to act in a representative capacity on behalf of the Applicant. The name and registration number of the registered patent attorney are provided below.

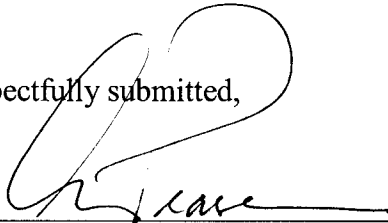
Pursuant to the provisions of 37 CFR § 1.181(a), Applicant believes no fees are due in connection with this request. However, the Director is authorized to charge any fees that may be required, or credit any overpayments, to Dechert LLP Deposit Account 50-2778 (**Order No. 376956-003US (368532)**).

Date:

July 27, 2006

DECHERT LLP
Customer No. 37509
Tel: 650.813.4800
Fax: 650.813.4848

Respectfully submitted,



Ann M. Caviani Pease
Reg. No. 42,067

Exhibit 1

**Copy of Notification of Abandonment dated July 11, 2006
Attorney Docket No. 376956-003US (368532)
Serial No. 10/511,515**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/511,515	Jason Peter Brown	185875/US

INTERNATIONAL APPLICATION NO.

PCT/GB03/01650

I.A. FILING DATE	PRIORITY DATE
04/16/2003	04/17/2002

30873
 DORSEY & WHITNEY LLP
 INTELLECTUAL PROPERTY DEPARTMENT
 250 PARK AVENUE
 NEW YORK, NY 10177

CONFIRMATION NO. 4660

Patent Mail Received

JUL 17 2006

371
 ABANDONMENT/TERMINATION
 LETTER



OC000000019568564

Date Mailed: 07/11/2006

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 10/17/2005 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/905 (371 Abandonment Notice)

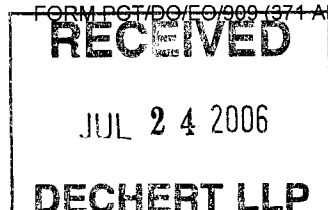


Exhibit 2

**Copy of Response papers filed December 14, 2005
Attorney Docket No. 376956-003US (368532)
Serial No. 10/511,515**

The mail stamp of the United States Patent and Trademark Office on this return receipt postcard acknowledges the filing on the date stamped of the following:

Response to Notification of Missing Requirements, Declaration and Power of Attorney, Preliminary Amendment, Paper and computer readable copies of Sequence Listing, Copy of Notification of Missing Requirements and check for \$130.00.

Via First Class Mail

First Named Inventor: Jason Peter Brown

Client Name: Page White & Farrer

Application No.: 10/511,515

Filing Date: October 15, 2004

Application Title: METHODS FOR PRODUCING IMMORTALISED
ANTIBODIES-SECRETING CELLS

Attorney Initials: JMM

Mailed: 12/14/05

Docket No.: 185875/US

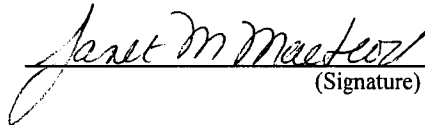
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	Jason Peter Brown	
Appln. No.:	10/511,515	
Filed:	October 15, 2004	Examiner:
Title:	METHOD FOR PRODUCING IMMORTALISED ANTIBODIES-SECRETING CELLS	Group Art Unit:

RESPONSE TO NOTIFICATION
OF MISSING REQUIREMENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

I hereby certify that this document is being sent via First Class Mail addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this 14th day of December, 2005.


(Signature)

Sir:

This paper is in response to the Notification of Missing Requirements mailed October 17, 2005 for the above-identified application. In response to the Notification, submitted herewith are:

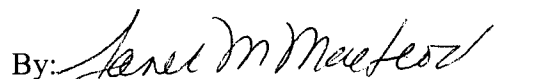
1. Declaration and Power of Attorney.
2. Preliminary Amendment.
3. Paper and computer readable copies of Sequence Listing.
4. Copy of Notification of Missing Requirements.
5. Check for \$130.00.
6. Return receipt postcard.

Any additional fees necessitated by this communication may be charged to Deposit Account No. 50-2054. A copy of this paper is enclosed.

Respectfully submitted,

DORSEY & WHITNEY LLP

Date: December 14, 2005

By: 
Janet M. MacLeod (Reg. No. 35,263)
DORSEY & WHITNEY LLP
250 Park Avenue
New York, New York 10177-1500
(212) 415-9366